

(Substitute) PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

32

Application Number

09/880,556

Filing Date

JUNE 13, 2001

First Named Inventor

Harold Brodie

Art Unit

1755

Examiner Name

Anthony J. Green

Attorney Docket Number

S1011/20122

ENCLOSURES

(Check all that apply)



Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Response to Missing Parts/
Incomplete ApplicationResponse to Missing Parts
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____

Remarks

After Allowance communication
to Technology Center (TC)Appeal Communication to Board
of Appeals and InterferencesAppeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please
Identify below):Return Receipt Postcard
Supplemental Reissue Declarations of
Co-Inventors Rainer Clover and Harold
BrodiePlease charge Attorney Account No. 03-0075 as necessary to effect entry and/or ensure
consideration of this submission.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**Firm
or
Individual name

Caesar, Rivise, Bernstein, Cohen & Pokotilow, Ltd.; Customer No. 03000

Signature

Date

7/7/2004

CERTIFICATE OF TRANSMISSION/MAILINGI hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with
sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on
the date shown below.

Typed or printed name

Robert S. Silver

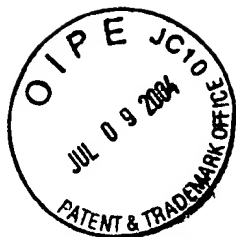
Signature

Date

7/7/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT EXAMINING OPERATION**

Applicant: Harold Brodie

Serial No: 09/880,556

Group Art Unit: 1755

Filed: June 13, 2001

Examiner: Anthony J. Green

Att. Docket No.: S1011/20122

Confirmation No.: 9517

For: INHIBITION OF BACTERIAL GROWTH

AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INTRODUCTORY COMMENTS

In response to the Office Action of June 14, 2004, please amend the above application as follows.

Applicants apologize for any inconvenience to the Examiner and Applicants have endeavored to comply with the Examiner's suggestions.

Applicants also submit the revised supplemental Declarations of Mr. Clover and Mr. Brodie. These declarations were previously rejected because they improperly listed claims 30-32 as having been "withdrawn without prejudice" whereas they were "cancelled by preliminary amendment." This is the only change that has been made to the Declarations in view of this rejection. Applicants submit that the revised Declarations overcome the Examiner's rejection.

Application No. 09/880,556
Reply to Office Action of June 14, 2004

Amendments to the Claims are reflected in the listing of claims, which begins on page 3 of this paper.

Remarks/Arguments begin on page 6 of this paper.